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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR     | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/679,320      | 10/04/2000  | Herschel Clement Burstyn | SAR 13978           | 7581             |

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PATENT DOCKET ADMINISTRATOR  
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ROSELAND, NJ 07068

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| EXAMINER |
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SHAW, YIN CHEN

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| ART UNIT | PAPER NUMBER |
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2135

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| MAIL DATE | DELIVERY MODE |
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01/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                           |  |
|------------------------------|------------------------|---------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>       |  |
|                              | 09/679,320             | BURSTYN, HERSCHEL CLEMENT |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>           |  |
|                              | Yin-Chen Shaw          | 2135                      |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-13, 15-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13, 15-19, 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 1, 3-12, and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. This written action is responding to the amendment filed on 11/14/2007
2. Claims 1, 3, 13, 15, and 17 have been amended. Claims 2, 14, and 20 have been canceled. All other claims are as original.
3. Claims 1, 3-13, 15-19, and 21-23 have been examined and rejected.
4. Claims 1, 3-13, 15-19, and 21-23 are currently pending.
5. The Office would like to remind Applicant that there has been a change in Examiner in prosecuting the application. The rejection of the claims are based on the newly found reference by Takahara (US Patent 6,992,718) in combination with previously cited references.

## **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAdam, US patent 4,964,162 and further in view of Takahara US Patent 6,992,718.

Referring to claim 1, McAdam teaches a method for distorting a recording of projected images, comprising the steps of:

imposing modulated entities on video content of video source material, the modulated entities being incompatible With the video content [**col. 3, line 61 through col. 4, line 6, i.e. in the video encode, line spin scrambling transforms applied to the video line or video line segment, see also col. 10, line 5, line spin transform encoder**];

demodulating the modulated entities, wherein the demodulated entities are compatible with the video content [**col. 4, lines 40-68, i.e. in then decoder applying the same line spin scrambling that was applied in the video encoder, see also col. 16, lines 5-30, the video decoder**]; and

projecting the video content to provide the projected images [**col. 16, lines 31-33, i.e. the unscrambled video signal output is converted into an analog video signal**].

McAdam does not teach but Takahara teaches that the imposing modulated entities including separating the video content into selected colors and varying at least one of a plurality of parameters of at least one of the selected colors [**col. 70, lines 50-52; col. 49, lines 50-52 from Takahara**]. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have McAdam combined with the teaching from Takahara for allowing a display image on the display panel to be enlargedly observed by the observer (Takahara, col. 2, lines 22-24).

Referring to claim 3, McAdam and Takahara teach the method of claim 1, wherein the at least one parameter is selected from the group comprising intensity, frequency, gain,

brightness, luminance, duty cycle, amplitude, and wavelength **[col. 70, lines 50-52, i.e. value of the color is regarded as the intensity from Takahara]**.

Referring to claim 4, McAdam and Takahara teach the method of claim 3 further comprising the step of selecting a space for modulating the video content **[col. 33, lines 2-3; col. 49, lines 45-49 from Takahara]**.

Referring to claim 5, McAdam and Takahara teach the method of claim 1 further comprising the step of encoding modulation information corresponding to the modulated entities, wherein the projecting step further includes the step of decoding the modulation information **[col. 4, lines 7-1, i.e. transform identifier indicating what particular transforms have been applied to each video segment and inserted into the horizontal blanking interval from McAdam]**.

Referring to claim 6, McAdam and Takahara teach the method of claim 4 wherein imposing the modulated entities further includes the step of modulating the video in the selected space **[col. 33, lines 2-3; col. 49, lines 45-49 from Takahara]**.

Referring to claim 10, McAdam and Takahara teach the method of claim 1 wherein the video source material comprises film **[col. 1, lines 20-24, col. 2, lines 40-53 from McAdam]**.

Referring to claim 11, McAdam and Takahara teach the method of claim 5 wherein the video source material comprises film, the encoding step including storing the modulation information on the film **[col. 4, lines 7-17, i.e. the encrypted transform identifier and seed value are then inserted into the horizontal blanking interval of the line-spin scrambled video signal, 9see also col. 57-67 from McAdam].**

Referring to claim 12, McAdam and Takahara teach the method of claim 5 further comprising the step of varying the modulation information with respect to the video source material **[column 2, col. 4, lines 7-17, col. 7, lines 60-67 i.e. a transform identifier indicating What particular transforms have been applied to each video line along with a seed value to synchronize with the similar one at the receiver from McAdam].**

Claims 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over McAdam and Takahara as applied to claim 1 and further in view of US 5,680,454 to Mead.

**Referring to claim 23, McAdam and Takahara do not teach but Mead teaches wherein the projecting step includes imposing a recording device dependent interference on the projected video content [Mead, Abstract, col. 1, line 54 through col. 2, line 6, wherein unauthorized duplication during a display of an image sequence is prohibited by displaying an image sequence at a frame rate which is**

**varied for successive pairs of the image frames in dependence upon a pseudo-random noise sequence].** Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have McAdam's encoder/decoder to impose a recording device dependent interference as taught by Mead for displaying the image sequence at a frame rate imperceptible by a human observer (Mead, col. 1, lines 64-67).

### **Allowable Subject Matter**

Claims 13, 15-19 and 21-22 are allowed.

Claims 7-9 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Response to Arguments**

Applicant's amendments, filed on Nov. 14, 2007, have independent claims 1, 3, 13, 15, and 17 amended. The rejection of the claims are based on the newly found reference by Takahara (US Patent 6,992,718) in combination with previously cited references.

### **Conclusion**

Application/Control Number:  
09/679,320  
Art Unit: 2135

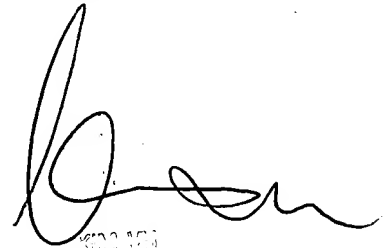
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yin-Chen Shaw whose telephone number is 571272-8593. The examiner can normally be reached on 8:15 to 4:15 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Yen Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YCS

Jan. 18, 2008

A handwritten signature in black ink, appearing to read 'Yin-Chen Shaw', is written over a faint, rectangular stamp. The signature is fluid and cursive.